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## **Rep. Joe Courtney Opening Statement at Subcommittee on Workforce Protections Hearing on H.R. 1406, "The Working Families Flexibility Act"**

*WASHINGTON, DC – Rep. Joe Courtney (D-CT), senior Democrat on the House Education and the Workforce Committee's Subcommittee on Workforce Protections, delivered the following remarks at a hearing on the Republican bill H.R. 1406, "The Working Families Flexibilities Act."*

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Mr. Chairman, this Tuesday was Equal Pay Day. I spent the afternoon at Connecticut College speaking to the American Association of University Women talking about a meaningful economic agenda for women families. I heard women talk about the need for equal pay, better job opportunities, and flexibility at work so that they can deal with family issues when they arise. I was hopeful that today would be an opportunity to continue that discussion and that we would examine legislation that gives working families greater flexibility in managing their work and family demands. Instead, we are wasting Committee time debating legislation that forces workers to compromise their paycheck in order to have more time off work. What's worse, this exact legislation has been considered several times before and failed to gain any traction. Why – because this bill has nothing to do with promoting workplace flexibility. It is about not paying overtime. It is about saying to hourly workers already struggling to make ends meet – if you need time off to care for a sick child or attend a school concert, you need to work extra hours, forgo the earned overtime pay, and then, as long as it is not disruptive to your employer, you may get some time off. But, to be clear, nothing in this bill requires that the worker has access to time-off when she really needs it.

Working families deserve better than a bill that forces them to choose between overtime pay and the family-friendly policies they desire. We should be looking at ways to give workers more power over their lives, not hand over hard-fought rights won by workers to their employers. Under H.R. 1406, workers who work overtime will not get paid for hours worked beyond 40 hours per week, instead, that compensation will be controlled by the employer. That amounts to an interest-free loan paid for by the workers' wages. A worker will have to wait until the end of the year to be paid for that time. In the meantime, if the firm goes out of business or declares bankruptcy, nothing in this bill requires that she is paid back.

Nothing in this legislation mandates that a single worker receive a single hour of comp time. Under current law, employers are already free to grant paid or unpaid leave to employees. This bill just provides a way for employers to pay workers less in the name of workplace flexibility. It is a tired discussion. Nothing in this bill prohibits an employer from preferentially assigning overtime to workers who select to receive comp time in lieu of overtime, resulting in workers whose families most rely on overtime pay being denied access to additional hours of work.

This bill makes it more complicated to enforce overtime protections. At a hearing last Congress in this Subcommittee we heard from the Senior Vice President of Human Resources at IBM that tracking comp time would be a challenge for businesses. He pointed out that it is “an administrative burden that is cost ineffective.” Nothing in this bill provides more resources to the Department of Labor to enforce the measure or issue compliance assistance to businesses like IBM that may have to establish systems accounting for comp time.

Today is a wasted opportunity. Instead of building on the momentum of conversations around Equal Pay Day and advancing real family-friendly reforms, the Republican majority is recycling a policy that does nothing to help working families. Numerous proposals already exist that protect workers’ wages and promote workplace flexibility. These proposals provide guaranteed family or medical leave and do not take away from critical overtime protections. I am proud to have joined my colleague Rosa DeLauro as an original cosponsor of the Healthy Families Act legislation, which provides paid sick days to nearly 30 million workers. That would make a meaningful difference for working families. I look forward to an opportunity to discuss legislation like the Healthy Families Act and the Paycheck Fairness Act that make a real difference for our nation’s working families. Thank you, Mr. Chairman.

*House Education and the Workforce Committee Democrats*